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EXAMINER	
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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 09/514,053
Filing Date: February 25, 2000
Appellant(s): HARRIS, SCOTT C.

Scott C. Harris
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 11/10/05.

(1) Real Party in Interest

A statement identifying the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

The statement of the status of the claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Invention

The summary of invention contained in the brief is correct.

(6) Issues

The appellant's statement of the issues in the brief is correct.

(7) Grouping of Claims

Appellant's brief includes a statement that claims 2, 3, 5, 8, 9 and 10-18 do not stand or fall together and provides reasons as set forth in 37 CFR 1.192(c)(7) and (c)(8).

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

5,948,040	DeLorme et al.	9-1999
6,578,078	Smith et al.	6-2003

6,360,205	Iyengar et al.	3-2002
6,606,101	Malamud et al.	8-2003
6,085,976	Sehr	7-2000

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 8, 9, 12, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,948,040 to DeLorme et al. in view of U.S. Patent No. 6,578,078 to Smith et al.

As per claim 8, DeLorme et al. teaches a Travel Reservation Information Planning System or TRIPS where users (100, Fig. 1A) using a desktop computer (105, Fig. 1A) with at least one computer communication connection or modem link (107, Fig. 1A) and one or more private or public computer network such as the Internet including interactive communication with one or more third-party providers or diverse travel information, reservation, accommodation, transportation, ticketing and/or other travel-related goods/service (see: column 13, lines 48-58). The TRIPS software allows user to construct travel plans using electronic maps presented on the computer's display and the user selects a travel origin, travel destination, and desired waypoints. The software also calculates, delineates and displays a travel route between the travel origin and the travel destination via the selected waypoints (see: column 8, lines 33-

39). TRIPS input terminology or technology is not restricted to illustration in (Fig. 1C) but also includes input means such as voice recognition, natural language, text queries, keystroke or mouse input, "virtual reality" input/output devices, map/calendar/subject-matter/transactional graphic user interface, relational data queries and/or other state-of-the-art input means known or readily implemented in the digital computer software field (see: column 23, line 64 to column 24, line 13). DeLorme et al. also the TRIPS software sub-menu WHERE? For example a user proposes an initial departure point and final destination point and one or more optimal routes are computed according to the user selected parameters e.g., Quickest, Shortest, Scenic, and so forth (see: column 29, lines 9-31). Furthermore, DeLorme teaches the TRIPS software sub-menu HOW? For example, the user can compare cost (reads on "information about how much the trip deviates") and availability of alternate mode of transportations (see: column 30, column 18-23). The Examiner considers comparing cost (information) equivalent to how much the trip deviates when comparing the optimum route (TRIPS software sub-menu WHERE? that includes initial departure point and final destination point and one or more optimal routes which are computed according to the user selected parameters e.g., Quickest, Shortest, Scenic, and so forth) from starting and ending area.

DeLorme et al. fails to explicitly teach selecting a hyperlink images including a cursor and actuator that is actuated to select a beginning and end point for travel.

Smith et al. teaches a method for preserving referential integrity within a web site where hyperlinks are associated with picture icons and text block pairs and once activated by click the icon detailed information regarding the particular icons is displayed to the user (see: column 10, line 25 to column 11, line 13).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the hyperlinks associated with picture icons and text block pairs as taught by Smith et al. within the Travel Reservation Information and Planning System taught by DeLorme with motivation of addressing the problem of broken hyperlinks to resources that have been moved (see: Smith et al.: column 7, lines 61-64).

As per claim 9, DeLorme et al. teaches the claimed amount of deviation includes information about travel times of different routes. This limitation is met by the TRIPS software sub-menu WHERE? For example a user proposes an initial departure point and final destination point and one or more optimal routes are computed according to the user selected parameters e.g., Quickest, Shortest, Scenic, and so forth (see: column 29, lines 9-31). The Examiner considers the Quickest or Shortest route to include different times.

As per claim 12, DeLorme et al. teaches a Travel Reservation Information Planning System or TRIPS where users (100, Fig. 1A) using a desktop computer (105, Fig. 1A) with at least one computer communication connection or modem link (107, Fig. 1A) and one or more private or public computer network such as the Internet including interactive communication with one or more third-party providers or diverse travel information, reservation, accommodation, transportation, ticketing and/or other travel-related goods/service (see: column 13, lines 48-58). The TRIPS software allows user to construct travel plans using electronic maps presented on the computer's display and the user selects a travel origin, travel destination, and desired waypoints. The software also calculates, delineates and displays a travel route between the travel origin and the travel destination via the selected waypoints (see: column 8, lines 33-39). TRIPS input terminology or technology is not restricted to illustration in (Fig. 1C) but also

includes input means such as voice recognition, natural language, text queries, keystroke or mouse input, "virtual reality" input/output devices, map/calendar/subject-matter/transactional graphic user interface, relational data queries and/or other state-of-the-art input means known or readily implemented in the digital computer software field (see: column 23, line 64 to column 24, line 13). In addition, DeLorme et al. teaches that the user can optionally input preferred modes of transportation, specify a particular airline or airport (see: column 19, lines 4-8).

DeLorme et al. fails to explicitly teach displaying a hyperlinked image including a movable element which is movable over said hyperlinked image, and said movable element is actuated to select an area of said hyperlinked image.

Smith et al. teaches a method for preserving referential integrity within a web site where hyperlinks are associated with picture icons and text block pairs and once activated by click the icon detailed information regarding the particular icons is displayed to the user (see: column 10, line 25 to column 11, line 13).

The obviousness of combining the teachings of Smith et al. within the system of DeLorme et al. is discussed in the rejection of claim 1, and incorporated herein.

As per claim 15, DeLorme et al. teaches the claimed processor is operative to determine an optimal flying route between said begin point and said end point, and display an actual selected flying route relative to said optimal flying route. This feature is met by the TRIPS software sub-menu WHERE? For example a user proposes an initial departure point and final destination point and one or more optimal routes are computed according to the user selected parameters e.g., Quickest, Shortest, Scenic, and so forth (see: column 29, lines 9-31). In addition, DeLorme further teaches that the software calculates, delineates and displays a travel route

between the travel origin and the travel destination via the selected waypoints (see: column 8, lines 33-39). The Examiner considers the Quickest or Shortest route to include the optimal flying route between the beginning point and ending point.

As per claim 16, DeLorme et al. teaches the claimed processor is further operative to determine a deviation between the optimal flying route and said selected flying route. This limitation is met by the TRIPS software sub-menu WHERE? For example a user proposes an initial departure point and final destination point and one or more optimal routes are computed according to the user selected parameters e.g., Quickest, Shortest, Scenic, and so forth (see: column 29, lines 9-31).

4. Claims 14 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,948,040 to DeLorme et al. in view of U.S. Patent No. 6,578,078 to Smith et al. as applied to claim 12 above, and further in view of U.S. Patent No. 6,360,205 to Iyengar et al.

As per claim 14, DeLorme et al. and Smith et al. teach the TRIPS software sub-menu WHERE? For example a user proposes an initial departure point and final destination point and one or more optimal routes are computed according to the user selected parameters e.g., Quickest, Shortest, Scenic, and so forth (see: DeLorme et al.: column 29, lines 9-31). The Examiner considers the Quickest, Shortest and Scenic routes to be the matrix of flights between the beginning point and ending point.

DeLorme et al. and Smith et al. fail to explicitly teach one airport within at least one of the beginning or end point.

Iyengar et al. teaches a method for providing reservation information related to airline flights including flight preferences where a user enters a home airport and selects whether to

search more airports near the departure city or arrival city (see: Fig. 7 and Fig. 8). Furthermore, after the user receives results from the flight preferences information, he may perform an additional search using more defined criteria such as nearby or closest departing and arriving airports (see: column 11, lines 7-42 and Fig. 8 and 10).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include flight preferences including airports with predefined distances as taught by Iyengar et al. with as taught by DeLorme et al. and Smith et al. with the motivation of allowing comparison of reservation information from a number of reservation providers (see: Iyengar et al.: column 3, lines 24-26).

As per claim 18, DeLorme et al. and Smith et al. teach the TRIPS output that includes the online transmission of the user's reservation requests, ticket purchase, changes, credit/payment arrangement, and so forth, directly to the third-party providers participating in TRIPS (see: column 12, lines 5-10).

DeLorme et al. and Smith et al. fail to explicitly teach one airport within at least one of the beginning or end point.

Iyengar et al. teaches a method for providing reservation information related to airline flights including flight preferences where a user enters a home airport and selects whether to search more airports near the departure city or arrival city (see: Fig. 7 and Fig. 8). Furthermore, after the user receives results from the flight preferences information, he may perform an additional search using more defined criteria such as nearby or closest departing and arriving airports (see: column 11, lines 7-42 and Fig. 8 and 10).

The obviousness of combining the teachings of Iyengar et al. with the system of DeLorme et al. and Smith et al. is discussed in the rejection of claim 14, and incorporated herein.

5. Claims 2, 3, 5 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,948,040 to DeLorme et al. in view of Official Notice.

As per claim 2, DeLorme et al. teaches a Travel Reservation Information Planning System or TRIPS where users (100, Fig. 1A) using a desktop computer (105, Fig. 1A) with at least one computer communication connection or modem link (107, Fig. 1A) and one or more private or public computer network such as the Internet including interactive communication with one or more third-party providers or diverse travel information, reservation, accommodation, transportation, ticketing and/or other travel-related goods/service (see: column 13, lines 48-58). The TRIPS software allows user to construct travel plans using electronic maps presented on the computer's display and the user selects a travel origin, travel destination, and desired waypoints. The software also calculates, delineates and displays a travel route between the travel origin and the travel destination via the selected waypoints (see: column 8, lines 33-39). TRIPS input terminology or technology is not restricted to illustration in (Fig. 1C) but also includes input means such as voice recognition, natural language, text queries, keystroke or mouse input, "virtual reality" input/output devices, map/calendar/subject-matter/transactional graphic user interface, relational data queries and/or other state-of-the-art input means known or readily implemented in the digital computer software field (see: column 23, line 64 to column 24, line 13).

DeLorme et al. fails to teach:

--the claimed cursor moving element to place a cursor of the graphical user interface over said starting area and actuating said actuator to select said starting area, and allowing said ending area for said travel to be selected by using said cursor moving element to place the cursor of the graphical user interface over said ending area, and actuating the actuator to indicate said end area; and

--the claimed wherein said server interfacing program further allows at least one of said starting area or said ending area to be changed in size to form a changed in size area, by using said cursor moving element to change a size of said at least one, and wherein said first travel information includes information about said changed in size area, and said travel information received from said server includes options for different locations within said changed in size area.

It is well known in the computer field to that graphical user interface such a cursor, which is special on-screen indicator used with applications and operating systems such as a mouse or other on-screen icons that move with movements of the mouse and actuators, which are disk drive mechanism for moving the read/write heads to location of the desired track on a disk are old and well established. Since DeLorme et al. teaches the use of electronic maps delineated to display a travel route between the travel origin and the travel destination via the selected waypoints (see: column 8, lines 33-39). DeLorme et al. further teaches a button used to pan/zoom in on the selected travel route by the user (see: Fig. 5D). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a cursor to select a starting and ending point of the selected travel route within the Travel Reservation Information Planning System as taught by DeLorme et al. with motivation of decreasing the amount of

keystroke entries by the user, thereby providing a more efficient and effective way of selecting a desired travel route.

As per claim 3, DeLorme et al. teaches the claimed server computer produces an image of a line extending between said starting point and said ending point, overlaid on said map. This limitation is met by the TRIPS software that allows a user to construct travel plans using an electronic map presented on the computer's display and selects a travel origin, travel destination, and desired waypoints. DeLorme et al. further teaches that TRIPS software calculates, delineates and displays a travel route between the travel origin and the travel destination via the selected waypoints (see: column 8, lines 33-39).

As per claim 5, DeLorme et al. teaches the claimed line includes an indication of a stopping point between said beginning point and said ending. This feature is met by the TRIPS software that allows a user to construct travel plans using an electronic map presented on the computer's display and selects a travel origin, travel destination, and desired waypoints. DeLorme et al. further teaches that TRIPS software calculates, delineates and displays a travel route between the travel origin and the travel destination via the selected waypoints (see: column 8, lines 33-39).

As per claim 10, DeLorme et al. teaches the claimed starting area and ending area include information about airports within said areas, and said changing size is operative to add or subtract airports within said areas. The limitation is met by the button used to pan/zoom in on the selected travel route by the user (see: Fig. 5D). DeLorme et al. further teaches that the user can optionally input preferred modes of transportation, specify a particular airline or airport (see: column 19, lines 4-8).

6. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,948,040 to DeLorme et al. in view of U.S. Patent No. 6,578,078 to Smith et al. as applied to claim 1 above, and further in view of U.S. Patent No. 6,606,101 to Malamud et al.

As per claim 13, DeLorme et al. and Smith et al. teach TRIPS where users (100, Fig. 1A) using a desktop computer (105, Fig. 1A) with at least one computer communication connection or modem link (107, Fig. 1A) and one or more private or public computer network such as the Internet including interactive communication with one or more third-party providers or diverse travel information, reservation, accommodation, transportation, ticketing and/or other travel-related goods/service (see: DeLorme et al.: column 13, lines 48-58).

DeLorme et al. and Smith et al. fail to teach the claimed screen tip displayed on the image about area of said cursor.

Malamud et al. teaches a system that uses information pointers where a user using an input device selects an object designated by the positioning of the cursor over at least a portion of one of the objects that is being displayed. Malamud et al. further teaches that the output device formed by the video display, textual and/or graphical information about the selected object is displayed in an information window adjacent to the cursor (see: column 1, lines 49-65).

One of ordinary skill in the art at the time the invention was made would have found it obvious to include information pointer system using textual information as taught by Malamud et al. with the system as taught by DeLorme et al. and Smith et al. with the motivation of providing the user with information about what they are currently doing or what the user is about to do (see: Malamud et al.: column 1, lines 44-46).

7. Claims 11 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,948,040 to DeLorme et al. in view of U.S. Patent No. 6,578,078 to Smith et al. as applied to claim 1 above, and further in view of U.S. Patent No. 6,085,976 to Sehr.

As per claim 11, DeLorme et al. and Smith et al. teach a Travel Reservation Information Planning System or TRIPS where users (100, Fig. 1A) using a desktop computer (105, Fig. 1A) with at least one computer communication connection or modem link (107, Fig. 1A) and one or more private or public computer network such as the Internet including interactive communication with one or more third-party providers or diverse travel information, reservation, accommodation, transportation, ticketing and/or other travel-related goods/service (see: DeLorme et al.: column 13, lines 48-58).

DeLorme et al. and Smith et al. fails to teach a biometric information entry device at the client computer, which allows entering biometric information that is used to access a stored travel itinerary from the client computer.

Sehr teaches a travel system and methods of utilizing multi-application passenger card that allow a passenger to interact with or couple to the system while planning evaluating a particular trip including making the appropriate reservation related to a ticket and travel information (see: column 4, lines 27-32). Sehr further teaches a biometric box (13, Fig. 1) including a means for capturing and digitizing the biometric characteristics information (see: column 6, lines 52-55).

One of ordinary skill in the art at the time the invention was made would have found it obvious to include the travel system using a biometric box as taught by Sehr with the system of

DeLorme et al. and Smith et al. with the motivation of reducing administrative costs, improving productivity and to provide a better quality of service (see: Sehr: column 2, lines 7-13).

As per claim 17, it is rejected for same reasons set forth in claim 11.

(11) Response to Argument

In the Appeal Brief filed 10 November 2004, Appellant makes the following arguments:

(A) Nowhere is there any teaching or suggestion of the claimed feature of displaying "information about how much the trip deviates compared with an optimum route from said starting area to said ending area".

(B) Smith teaches nothing about a user selecting a link on the hyperlink image for "a desired starting area for travel" and selecting a link on the hyperlink image for "a desired starting area for travel" and selecting a link on the hyperlink image for "a desired ending area for said travel".

(C) DeLorme and Smith fails to teach a "movable element being variable to change a number of said airports which are included within said area" and that the area sets the beginning or end of the trip.

(D) DeLorme fails to teach that there is more than one airport within the beginning or end location, and that the more than one airport has been selected as part of the area.

(E) The references fail to teach the binding offer language of claim 18.

(F) DeLorme and Smith do not teach selecting a desired starting point for travel and a desired ending for travel by placing a cursor over a map.

(G) The Official Notice takes into account hindsight with regard to a starting and ending size "operative to add or subtract points within said area" and does not change the size of a selected area.

(H) Nowhere does the prior art teach or suggest a screen tip that includes additional information "about at least one of the plurality of airports" in claim 13.

(I) Nowhere does Sehr teach or suggest entering biometric information "that is used to access a stored travel itinerary from the client computer" or pulling up travel itinerary based on biometric information.

Examiner will address Appellant's arguments in sequence as they appear in the brief.

Response to Arguments (A)

In response to argument (A), the Examiner respectfully submits the reference of DeLorme et al. teaches TRIPS software sub-menu WHERE? For example, a user proposes an initial departure point and final destination point and one or more optimal routes are computed according to the user selected parameters e.g., Quickest, Shortest, Scenic, and so forth (see: column 29, lines 9-31). In addition, DeLorme teaches the TRIPS software sub-menu HOW? For example, the user can compare cost (reads on "information about how much the trip deviates") and availability of alternate mode of transportations (see: column 30, column 18-23). The Examiner considers comparing the costs of different trips (e.g., Quickest, Shortest, Scenic, and so forth) (information) as equivalent to how much the trip deviates when comparing the optimum route from starting and ending area. Furthermore, DeLorme et al. teaches using the sub-menu WHERE? a user might compare cost and travel times according to what the user opts to do. For example, a user may select possible waypoints (Scenic route) that may lengthen the trip or select

the fastest and shortest route (Quickest and Shortest) shortening the trip making it the optimum route. This clearly will allow a user using a computer display to compare trip information with the optimum route to determine the amount of deviation. In addition, the claimed "information" is not limited to distance, per se, and as such the Examiner respectfully submits that costs and/or time are also factors to be considered as information that define a trip and/or its subsequent deviation from optimal value.

Response to Arguments (B)

In response to argument (B), the Examiner respectfully submits that the Smith reference, and not DeLorme et al., *per se*, that was relied upon for the specific teaching of a method for preserving referential integrity within a web site where hyperlinks are associated with picture icons and text block pairs and once activated by click the icon detailed information regarding the particular icons is displayed to the user (see: column 10, line 25 to column 11, line 13). DeLorme et al was relied on for primarily teaching of the TRIPS software allowing user to construct travel plans using electronic maps presented on the computer's display and the user selects a travel origin, travel destination, and desired waypoints (see: column 8, lines 33-39). Thus, the proper combination of the applied references would be the incorporation of Smith's hyperlinks associated with picture icons within the Travel Reservation Information and Planning System of DeLorme et al.

Response to Arguments (C)

In response to argument (C), the Examiner respectfully submits DeLorme teaches TRIPS software that allows user to construct travel plans using electronic maps presented on the computer's display and the user selects a travel origin, travel destination, and desired waypoints.

TRIPS input terminology or technology is not restricted to illustration in (Fig. 1C) but also includes input means such as voice recognition, natural language, text queries, keystroke or mouse input, "virtual reality" input/output devices, map/calendar/subject-matter/transactional graphic user interface, relational data queries and/or other state-of-the-art input means known or readily implemented in the digital computer software field (see: column 23, line 64 to column 24, line 13). In addition, DeLorme et al. teaches that the user can optionally input preferred modes of transportation, specify a particular airline or airport (see: column 19, lines 4-8). In addition, the claim language of claim 12 recites a "...movable element being variable to change a number of said airports which are included within said area..." and the Examiner broadest interruption of a movable element being variable to change suggests the mouse has the capability of changing the number of airport. In particular, scrolling through a geographical display clearly changes the number of landmarks depicted, as the display screen may not be able to account for every identical landmark, due to display screen size limitations. As such, the claims do not absolutely require any change be positively and definitely made. Furthermore, the reference of DeLorme et al. clearly demonstrates by way of TRIPS input terminology using a mouse, which has the capability to select a travel origin, travel destination, and desired waypoints that would include changing the number of airports and as noted above, it is irrelevant whether a change is actually performed, since the claim does not require a change, per se.

Response to Arguments (D)

In response to argument (D), the Examiner respectfully submits that the Iyengar et al. reference, and not DeLorme et al., *per se*, that was relied upon for the specific teaching of a method related to airline flights preferences where a user enters a home airport and selects

whether to search more airports near the departure city or arrival city (see: Fig. 7 and Fig. 8). In addition, after the user receives results from the flight preferences information, he may perform an additional search using more defined criteria such as nearby or closest departing and arriving airports (see: column 11, lines 7-42 and Fig. 8 and 10). DeLorme et al was relied on for primarily teaching of the TRIPS software allowing user to construct travel plans using electronic maps presented on the computer's display and the user selects a travel origin, travel destination, and desired waypoints (see: column 8, lines 33-39). Thus, the proper combination of the applied references would be the incorporation of Iyengar's flight preferences including the search of one or more airports with predefined distances within the Travel Reservation Information and Planning System of DeLorme et al.

Response to Arguments (E)

In response to argument (E), the Examiner respectfully submits DeLorme et al. teaches TRIPS output that includes online transmission of the user's reservation requests, ticket purchase, changes, credit/payment arrangement, and so forth (see: column 12, lines 5-10). The suggestion of credit/payment arrangements and ticket purchases is a clear indication that a binding offer has been given to the user, as the Examiner respectfully submits that the payment serves as the binding offer. In particular, an airline ticket may be reserved or booked by a passenger but until the time the passenger pays for the ticket, the airline is not bound to the reservation.

Response to Arguments (F)

In response to argument (F), the Examiner respectfully submits DeLorme et al. teaches TRIPS software allowing user to construct travel plans using electronic maps presented on the

computer's display and the user selects a travel origin, travel destination, and desired waypoints. The software also calculates, delineates and displays a travel route between the travel origin and the travel destination via the selected waypoints (see: column 8, lines 33-39). TRIPS input terminology or technology is not restricted to illustration in (Fig. 1C) but also includes input means such as voice recognition, natural language, text queries, keystroke or mouse input, "virtual reality" input/output devices, map/calendar/subject-matter/transactional graphic user interface, relational data queries and/or other state-of-the-art input means known or readily implemented in the digital computer software field (see: column 23, line 64 to column 24, line 13). In addition, DeLorme et al. further teaches TRIPS implementations can search for and retrieve points of interest around an individual user-selected geographical points or locations using the TRIPS Geographic Subsystem (see: column 49, lines 47-59). Furthermore, it is well known in the computer field that using graphical user interface such as a cursor to move with movements of the mouse are old and well established in the art and the courts have held that even if a patient does not specifically disclose a particular elements said element being within the knowledge of a skilled artisan, the patent taken in combination with that knowledge, would put the artisan in possession of the claimed invention. *In re Graves*, 36 USPQ 2d 1697 (Fed. Cir. 1995).

Response to Arguments (G)

In response to argument (G), the Examiner respectfully submits that DeLorme et al. teaches the use of electronic map delineated to display a travel route between the travel origin and the travel destination via the selected waypoints (see: column 8, lines 33-39). DeLorme et al. further teaches a button used to pan/zoom in on the selected travel route by the user (see: Fig.

5D). This is a clear indication that the electronic maps as described by DeLorme et al. utilize the pan/zoom feature used to select a beginning and end point for travel and change the size of a selected area. With regard to challenging the Official Notice, in order to adequately traverse such a finding, the Appellant must specifically point out the supposed error in the Examiner's action including stating why the noticed fact is not considered to be common knowledge or well-known in the art. *In re Chevenard*, 139 F.2d 71, 60 USPQ 239 (CCPA 1943). In light of the above, it is evident that Appellant's present challenge does not state why the noticed fact is not considered to be common knowledge or well-known in the art, and thus fails to constitute a proper challenge to the Examiner's Official Notice.

Furthermore, the assertion that Official Notice takes into account hindsight, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the Appellant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971). Moreover, the Examiner respectfully submits that insofar as claim 10, merely states "is operative to...", the prior art need only show a capability of adding/subtracting airports, and not the actual addition/subtraction, per se.

Response to Arguments (H)

In response to argument (H), the Examiner respectfully submits that DeLorme et al. and Smith et al. is relied on for using TRIPS where users (100, Fig. 1A) using a desktop computer (105, Fig. 1A) with at least one computer communication connection or modem link (107, Fig.

1A) and one or more private or public computer network such as the Internet including interactive communication with one or more third-party providers or diverse travel information, reservation, accommodation, transportation, ticketing and/or other travel-related goods/service (see: DeLorme et al.: column 13, lines 48-58). DeLorme et al. and Smith et al. further teach that the user can optionally input preferred modes of transportation, specify a particular airline or airport (see: column 19, lines 4-8). Malamud et al. was relied for teaching a system that uses information pointers where a user using an input device selects an object designated by the positioning of the cursor over at least a portion of one of the objects that is being displayed. Malamud et al. further teaches that the output device formed by the video display, textual and/or graphical information about the selected object is displayed in an information window adjacent to the cursor (see: column 1, lines 49-65). Thus, the proper combination of the applied references would be the incorporation of Malamud's positioning a cursor over an object and the displaying of textual and/or graphical information about the selected object within the system of DeLorme et al. and Smith et al., wherein the selected object may comprise an airport (note: DeLorme et al.: column 18, lines 40-57 and Fig. 1B).

Response to Arguments (I)

In response to argument (I), the Examiner respectfully submits the reference of Sehr teaches a travel system and methods of utilizing multi-application passenger card that allow a passenger to interact with or couple to the system while planning evaluating a particular trip including making the appropriate reservation related to a ticket and travel information (see: column 4, lines 27-32). Sehr further teaches a biometric box (13, Fig. 1) including a means for capturing and digitizing the biometric characteristics information (see: column 6, lines 52-55). In

addition, Sehr teaches that security information can be stored on the passenger card such as the cardholder's captured biometric information that has attached boarding pass or admission stamp information as to prevent the use of a ticket by unauthorized personnel (see: column 24, lines 58-63). This clearly shows that travel information such as a boarding pass about an individual having their biometric information associated therewith, is based on the information read by the biometric box (13, Fig. 1) at the computer platform (14, Fig. 1) that can be multimedia personal computer. Furthermore, Appellant's argument that the references fail to show certain features of Appellant's invention, it is noted that the features upon which Appellant relies (i.e., "pulling up the travel itinerary based on biometric information") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). In particular, none of the claims explicitly require pulling up travel itinerary based on biometric information.

As such, Appellant's arguments clearly fail to consider the breadth of the invention as presented claimed.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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